

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

Case No. 11-10801

NEIL JACKSON PIZARRO

Chapter 13

Debtor(s)

MOTION SUBMITTING AN AMENDED CHAPTER 13 PLAN

TO THE HONORABLE COURT:

Comes now Debtor(s), represented by undersigned counsel, and very respectfully alleges and prays as follows:

1. On March 2, 2012, the Debtor filed a Chapter 13 Plan (the "Plan") pursuant to 11 U.S.C. § 1321.
2. To comply with applicable provisions of the Bankruptcy Code, however, an amendment to the Plan has been necessitated. Pursuant to 11 U.S.C. § 1323, Debtor hereby submits amended Chapter 13 Plan dated June 18, 2012 (the "Amended Plan").
3. Specifically, the Amended Plan address; **INCREASE PLAN BASE TO \$23,968.00**

NOTICE OF OPPORTUNITY TO OBJECT PURSUANT TO LBR 9013-1(h)
Within twenty one (21) days after service as evidence by the certification, and an additional three (3) days pursuant to Feb. R. Bank. P. 9006(f) if you were served by mail, and any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

CERTIFICATE OF SERVICE, I hereby certify that on June 18, 2012 a copy of this document was served electronically or by regular United States mail to all interested parties, the Trustee and all creditors listed below.

RESPECTFULLY SUBMITTED

In San Juan, Puerto Rico this 18th day of June, 2012

THE BATISTA LAW GROUP, PSC.

Cond. Mid-Town Center

421 Ave. Muñoz Rivera Suite 901

San Juan, PR. 00918

Telephone: (787) 620-2856

Facsimile: (787) 777-1589 & (787) 620-2854

E-mail: jesus.batista@batistalawgroup.com

Counsel for Debtor

/s/ Jesus E. Batista Sanchez, Jr.

Jesus E. Batista, JR., USDC # 227014

Label Matrix for local noticing
0104-3
Case 11-10801-MCF13
District of Puerto Rico
Old San Juan
Mon Jun 18 11:23:30 AST 2012

BANCO POPULAR DE
PO BOX 366818
SAN JUAN, PR 00936-6818

RECOVERY MANAGEMENT SYSTEMS CORP
GE MONEY BANK (PEP BOYS)
25 S.E. 2ND AVENUE, SUITE 1120
MIAMI, FL 33131-1605

US Bankruptcy Court District of P.R.
Jose V Toledo Fed Bldg & US Courthouse
300 Recinto Sur Street, Room 109
San Juan, PR 00901-1964

BANCO POPULAR DE PUERTO RICO
BANKRUPTCY DEPARTMENT
PO BOX 366818
SAN JUAN PR 00936-6818

BANCO POPULAR DE PUERTO RICO
MARTINEZ & TORRES LAW OFFICES, P.S.C.
PO BOX 192938
SAN JUAN, PR 00919-3409

Banco Popular De Puert
Gpo Box 3229
San Juan, PR 00936

Centennial
Po Box 71514
San Juan, PR 00936-8614

Coop A/c San Rafael
Aptdo 1531
Quebradillas, PR 00678-1531

Enhanced Recovery Corp
Attention: Client Services
8014 Bayberry Rd
Jacksonville, FL 32256-7412

Equable Ascent Financial, LLC
c/o Recovery Management Systems Corp
25 SE 2nd Avenue Suite 1120
Miami FL 33131-1605

GC SERVICES LIMITED PARTNERSHIP
6330 GULFTON ST
HOUSTON, TX 77081-1198

Pr Telephone
Pob 70239
San Juan, PR 00936-8239

RESURGENT CAPITAL SERVICES
PO BOX 47455
JACKSONVILLE, FL 32247-7455

Sears/cbna
701 East 60th St N
Sioux Falls, SD 57104-0432

Verizon Wrls
Attn: Bankruptcy
Po Box 3037
Bloomington, IL 61702-3037

ALEJANDRO OLIVERAS RIVERA
ALEJANDRO OLIVERAS CHAPTER 13 TRUS
PO BOX 9024062
SAN JUAN, PR 00902-4062

JESUS ENRIQUE BATISTA SANCHEZ
THE BATISTA LAW GROUP, PSC
COND MIDTOWN CENTER
421 LUIS MUNOZ RIVERA AVE
SUITE 901
SAN JUAN, PR 00918

MONSITA LECAROS ARIBAS
OFFICE OF THE US TRUSTEE (UST)
OCHOA BUILDING
500 TANCA STREET SUITE 301
SAN JUAN, PR 00901

NEIL JACKSON PIZARRO
RR 4 BOX 8156
ANASCO, PR 00610-8009

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**UNITED STATES BANKRUPTCY COURT
 FOR THE DISTRICT OF PUERTO RICO**

IN RE: **NEIL JACKSON-PIZARRO**BK. CASE # **11-10801**

DEBTOR(S)

CHAPTER 13

CHAPTER 13 PAYMENT PLAN

NOTICE: • The following plan contains provisions which may significantly affect your rights. You should read this document carefully and discuss it with your attorney. When confirmed, the plan will bind the debtor and each creditor to its terms. Objections must be filed in writing with the Court and served upon the debtor(s), debtors' counsel, the Trustee and any other entity designated by the Court, at the 341 meeting of creditors or not less than twenty (20) days prior to the scheduled confirmation hearing. For post confirmation Plan Modifications, objections must be filed and notified in the same manner within twenty (20) days from its notification. • **This plan does not allow claims.** Any party entitled to receive disbursements from the Trustee must file a proof of claim. The Trustee will pay the allowed claims, as filed, provided for in the plan, unless disallowed or expressly modified by the Court and / or the terms of the plan. If no claim is filed, the Trustee will not pay a creditor provided for in the plan, unless ordered by the Court. If the Trustee is to make POST-PETITION REGULAR MONTHLY PAYMENTS to any Secured obligation, then a proof of claim must be filed including the following information: account number, address, due date and regular monthly payment. Secured creditor must notify any change in the monthly payment, three (3) months prior to the effective date of new payment. Those post-petition monthly payments will not exceed the life of the plan. • See the notice of commencement of case for 341 meeting date and claims bar date, the latter is the date by which a proof of claim must be filed in order to participate of the plan distribution.

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee:

☒ directly ☐ by payroll deductions, as hereinafter provided in the PAYMENT PLAN SCHEDULE.

2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

3. The Confirmation Order will not vest property of the Estate on Debtor(s) until the Order discharging Debtor(s) is entered.

PLAN DATED: _____

☒ **AMENDED PLAN DATED:** June 18, 2012☒ **PRE** ☐ **POST-CONFIRMATION**FILED BY ☒ **DEBTOR** ☐ **TRUSTEE** ☐ **UNSECURED CREDITOR****I. PAYMENT PLAN SCHEDULE****III. DISBURSEMENT SCHEDULE SEQUENCE**

\$ 355.00 x 2 = \$ 710.00
 \$ 402.00 x 58 = \$ 23,316.00
 \$ 0.00 x 0 = \$ 0.00
 \$ _____ x _____ = \$ _____
 \$ _____ x _____ = \$ _____
TOTAL = 60 \$ 24,026.00

A. SECURED CLAIMS:

☐ Debtor represents that there are no secured claims.

☒ Secured creditors will retain their liens and shall be paid as follows:

☒ **ADEQUATE PROTECTION** Payments: Cr. _____ \$ 0.00
☒ Trustee will pay secured **ARREARS:**
 Cr. BANCO POPULA Cr. _____
 Acct. 07101001736258 Acct. _____
 \$ 19,122.38 \$ _____ \$ _____

Additional Payments:

\$ _____ to be paid as a LUMP SUM
 within _____ with proceeds to come from

☐ Sale of property identified as follows:

☐ Other: _____

Periodic Payments to be made other than and in addition to the above.

\$ _____ x _____ = \$ _____
 To be made on: _____

PROPOSED PLAN BASE: \$ 24,026.00**II. ATTORNEY'S FEES**

To be treated as a § 507 Priority, and paid before any other creditor and concurrently with the Trustee's fees, unless otherwise provided:

a. Rule 2016(b) Statement: \$ 3,000.00
 b. Fees Paid (Pre-Petition): (\$ 1,000.00)
 c. R 2016 Outstanding balance: (\$ 2,000.00)
 d. Post Petition Additional Fees: \$ 0.00
 e. Total Compensation: \$ 3,000.00

Signed: /s/ NEIL JACKSON-PIZARRO
 DEBTOR

JOINT DEBTOR

☐ Trustee will pay **REGULAR MONTHLY PAYMENTS:**
 (please refer to the above related notice, for important information about this provision)

Cr. _____ Cr. _____ Cr. _____
 Acct. _____ Acct. _____ Acct. _____
 Monthly Pymt.\$ _____ Monthly Pymt.\$ _____ Monthly Pymt.\$ _____

☐ Trustee will pay **IN FULL** Secured Claims:

Cr. _____ Cr. _____ Cr. _____
 \$ _____ \$ _____ \$ _____

☐ Trustee will pay **VALUE OF COLLATERAL:**

Cr. _____ Cr. _____ Cr. _____
 \$ _____ \$ _____ \$ _____

☐ Secured Creditor's interest will be insured. **INSURANCE POLICY** will be paid through plan:
 Cr. _____ Ins. Co. _____ Premium: \$ _____

(Please indicate in "Other Provisions" the Insurance coverage period)

☐ Debtor **SURRENDERS COLLATERAL** TO Lien Holder:

☒ Debtor will maintain **REGULAR PAYMENTS DIRECTLY** to: **BANCO POPULA**

B. PRIORITIES. The Trustee will pay §507 priorities in accordance with the law [§1322 (a)(2)].

C. UNSECURED PREFERRED: Plan ☐ Classifies ☒ Does not Classify claims

☐ Class A: ☐ Co-debtor Claims: ☐ Pay 100% ☐ "Pay Ahead"

☐ Class B: ☐ Other Class:

☐ Cr. _____ ☐ Cr. _____ ☐ Cr. _____
 \$ _____ \$ _____ \$ _____

D. GENERAL UNSECURED NOT PREFERRED: (Case Liquidation Value = \$ 22,790.00)

☒ Will be paid 100% plus 6.00% Legal Interest. ☐ Will be paid Pro-Rata from any remaining funds

OTHER PROVISIONS:

* For additional other provisions, please see attachment sheet(s).

ATTORNEY FOR DEBTOR: /s/ Jesus E. Batista, Bar No.:Phone: 787-620-2856

UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO

IN RE: **NEIL JACKSON-PIZARRO**

BK. CASE # **11-10801**

DEBTOR(S)

CHAPTER 13

Chapter 13 Plan Continuation Sheet

Additional Other Provisions:

Other provisions:

ATTORNEY FEE PROVISION: Trustee will pay Attorney's fees before any claim and after administrative expenses.

TAX REFUND PROVISION: Post petition income tax refunds, OTHER THAN AND BEYOND THOSE THAT DEBTOR HAS ALREADY COMMITTED TO THIS CHAPTER 13 PLAN, that the Debtor(s) actually receives during the term of this Chapter 13 Plan (the "Plan") will be used to fund this Plan (these additional tax refunds will be deemed "Additional Tax Refunds"). After confirmation and without further notice, hearing or Court Order, the Plan shall be deemed modified and the base of the Plan shall be increased by an amount equal to the Additional Tax Refunds that Debtor receives.